

**Introduced by Senator Yee**

February 22, 2013

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An act to amend Section ~~1600~~ 8050 of the Fish and Game Code, relating to fish and wildlife.

LEGISLATIVE COUNSEL'S DIGEST

SB 764, as amended, Yee. ~~Fish and wildlife protection.~~ *Fish: accounting records: violation.*

*Existing law requires commercial licensed fisherman and any person who deals in fresh or frozen fish for profit to keep prescribed accounting records. Existing law requires this accounting record information that is transmitted to any business that deals in fish for profit to be in the English language. Under existing law, a violation of any provision of the Fish and Game Code, or any rule, regulation, or order made or adopted under those provisions, is a misdemeanor, unless otherwise specified.*

*This bill would require a person in violation of the requirement that the prescribed accounting record information be in the English language for the first time to have 30 days from the issuance of the citation to correct the violation by providing a translation in the English language to any fish and game warden. The bill would require the citation to be dismissed if the fish and game warden finds the corrected accounting information to be in compliance with these provisions.*

~~Existing law declares that the protection and conservation of the fish and wildlife resources of this state are of utmost public interest.~~

~~This bill would make a nonsubstantive change to this provision.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 8050 of the Fish and Game Code is  
2     amended to read:  
3     8050. (a) In addition to the receipt required in Section 8043,  
4     every person licensed under Article 7 (commencing with Section  
5     8030), and any commercial fisherman who sells fish to persons  
6     who are not licensed under Article 7 (commencing with Section  
7     8030), and any person who deals in fresh or frozen fish for profit,  
8     shall keep accounting records in which all of the following shall  
9     be recorded:  
10    (1) The names of the different species.  
11    (2) The number of pounds sold, distributed, or taken of each  
12    different species.  
13    (3) The name of the person to whom the fish were sold or  
14    distributed.  
15    (4) The name, address, and phone number of the seller or  
16    distributor.  
17    (5) The date of sale.  
18    (6) The price paid.  
19    (7) The intended use.  
20    (b) (1) Accounting record information required by this section  
21    that is transmitted from any person identified in subdivision (a) to  
22    any business that deals in fish for profit shall be in the English  
23    language.  
24    (2) *A person in violation of this subdivision for the first time*  
25    *shall have 30 days from the issuance of the citation to correct the*  
26    *violation by providing a translation of the accounting record*  
27    *information in the English language to any fish and game warden.*  
28    *The citation shall be dismissed if the fish and game warden finds*  
29    *the corrected accounting record information to be in compliance*  
30    *with this subdivision.*  
31    (c) The accounting records shall be maintained by both buyer  
32    and seller for a period of three years and upon request, shall be  
33    open for inspection during normal business hours by the  
34    department. The accounting records shall be maintained within  
35    the State of California.

(d) The names used for designating the species of fish shall be those in common usage unless otherwise designated by the department.

~~SECTION 1. Section 1600 of the Fish and Game Code is amended to read:~~

~~1600. The Legislature finds and declares that the protection and conservation of the fish and wildlife resources of this state are of utmost public interest. Fish and wildlife are the property of the people and provide a major contribution to the economy of the state, as well as providing a significant part of the people's food supply; therefore the conservation of fish and wildlife is a proper responsibility of the state. This chapter is enacted to provide conservation for these resources.~~